

South Florida Water Management District
P.O. Box 24680, W.P.B., FL 33416-4680
Attention: Right of Way Division

***REQUEST FOR TRANSFER OF
RIGHT OF WAY OCCUPANCY PERMIT***

The undersigned requests that the name of the permittee for SFWMD Right of Way Occupancy Permit Number _____ be transferred:

FROM: Name: _____

Company Name (if applicable) _____

Address: _____

City: _____, STATE: _____ ZIP CODE: _____

Telephone No: (____) - _____

TO: Name: _____

Company Name (if applicable) _____

Address: _____

City: _____, STATE: _____ ZIP CODE: _____

Telephone No: (____) - _____

Rule 40E-6.351 Transfer of Permits.

- (1) As the District has no control over the sale or transfer of real or personal property, it is the sole obligation of a permittee to disclose the existence of a Right of Way Occupancy Permit, its terms and conditions to prospective purchasers.
- (2) Right of Way Occupancy Permit shall be transferred when:
 - (a) The request is otherwise consistent with the provisions of these rules and Chapter 373, F.S.
 - (b) The applicant demonstrates that the permitted use still qualifies for a permit under Rules 40E-6.121 or 40E-6.221, F.A.C.
 - (c) The applicant agrees to abide by the provisions of chapter 373, F.S., this chapter and the terms and conditions of the permit; including these rules, including the standard limiting conditions, and criteria which are applicable at the time of the request for transfer.
 - (d) The adjoining land use has not changed.
 - (e) The request for transfer is accompanied, when required, with the correct fee.
 - (f) The applicant agrees to record a Notice of Permit in the official records of the county clerk's office as specified by the District.
 - (g) In cases where unauthorized facilities or uses have been added that are not included in the permit authorization, a permit transfer request must also be accompanied by a request for modification pursuant to Rule 40E-6.331, F.A.C.
- (3) Right of Way Occupancy Permits will be transferred without a fee when the request for transfer is received within twelve (12) months from the change of ownership, as evidenced by the date of transfer of ownership appearing in the deed or other instrument of conveyance.
- (4) Requests for transfer of Right of Way Occupancy Permits shall be assessed a fifty (\$50.00) dollar processing fee when the request is received by the District more than twelve (12) months from the date of change of ownership but prior to eighteen (18) months from the change of ownership, as evidenced by the date of transfer of ownership appearing in the deed or other instrument of conveyance.
- (5) Transfers requested more than 19 months from the date of change of ownership shall be denied and require the submission of an application and the appropriate application processing fee.
- (6) All transfers require a field inspection and shall not become effective until such inspection is conducted and confirms all existing facilities are permitted and all uses comply with the criteria in Rule 40E-6.091, F.A.C., and the conditions of issuance in Rules 40E-6.121 or 40E-6.221, F.A.C. If additional facilities are present, no transfer will be allowed unless the unauthorized facility or use is removed immediately and the right of way restored. Applicants must submit a new Standard Permit Application, along with the appropriate application processing fee, for all additional facilities not removed and not currently authorized by a Right of Way Occupancy Permit.
- (7) The District staff shall not issue transfers until all financial assurance and insurance requirements, if any, have been provided and accepted by the District staff.

Attached is a copy of the instrument transferring ownership of the property.

Applicant's Name (*Print*)

Applicant's Signature

Date